

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MARCH 8, 2016 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor Salvino called the meeting to order at 7:00 p.m.

Present:

Mayor:	Marco A. Salvino, Sr.
Vice-Mayor:	Albert C. Jones
Commissioners:	Chickie Brandimarte
	Paul Fetscher
	Bobbie H. Grace
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

2. Moment of Silence and Pledge of Allegiance

Mayor Salvino called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

- 3.1 Approve the Parks, Recreation and Community Affairs Advisory Board recommendation for a \$3,600.00 rental fee waiver reduction for the use of the I. T. Parker Community Center, by the Southern Handcraft Society, on September 28, 2016 - October 1, 2016

Commissioner Grace motioned to approve the I.T. Parker Community Center fee waiver reduction for the Southern Handcraft Society; seconded by Vice-Mayor Jones.

Vice-Mayor Jones commented that it is not practical that we are doing this kind of discounting for Southern Handcraft Society. He asked if this was a Dania Beach organization.

Mark Felicetty, Director of Parks & Recreation, responded a member of the board is a resident.

Vice-Chairman Jones said the cost/benefit to the City needs to be addressed next year.

Mayor Salvino questioned why we are giving a discount to an organization we know little about.

Commissioner Brandimarte further questioned the operation of the event, and felt this needs to be brought back.

Commissioner Grace withdrew her motion.

Vice-Mayor Jones motioned to deny the I.T. Parker Community Center fee waiver reduction for the Southern Handcraft Society; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

- 3.2 Special Event request from the Community Redevelopment Agency for the "Dania Beach 2016 Arts and Seafood Celebration", to be held on April 2-3, 2016, at Frost Park from 11:00 a.m. - 8:00 p.m. The applicant is requesting BSO Police and Fire Services, and road closures for Fronton Boulevard from N.E. 2nd Street to N.E. 1st Street.

Commissioner Grace motioned to approve the Special Event request for the Dania Beach 2016 Arts and Seafood Celebration, including BSO Police and Fire services and road closures; seconded by Vice-Mayor Jones. The motion carried unanimously.

- 3.3 Special Event request from Staged Right Events to have a "Dania Pointe Roller Coaster Demolition Event" on March 16, 2016, from 9:30 a.m. - 12:00 p.m. The applicant is requesting a Special Event fee waiver of \$150.00.

Commissioner Grace motioned to approve the Special Event request for the Dania Pointe Roller Coaster Demolition Event, including the Special Event fee waiver of \$150.00; seconded by Vice-Mayor Jones. The motion carried on the following 4-1 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	No
Commissioner Grace	Yes		

- 3.4 Special Event request from the Marine Industries Association of South Florida for the "20th Annual Plywood Regatta", to be held on April 9-10, 2016, from 8:00 a.m. - 6:00 p.m. on the North end of the Marina. The applicant is requesting a special event fee waiver of \$150.00.

Commissioner Grace motioned to approve the Special Event request for the 20th Annual Plywood Regatta, including the Special Event fee waiver of \$150.00; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes

Commissioner Grace

Yes

3.5 State of the City Video - Mayor Marco Salvino, Sr.

The State of the City video was presented at this time.

3.6 Downtown Street Assessment Plan - Fred Bloetscher, PUMPS

Fred Bloetscher, PUMPS, reviewed the information that was included in the agenda packet. He noted some of the problem areas will be addressed through the Oasis program.

Commissioner Grace said she is not happy that we use CDBG funds for these projects.

4. Proclamations

4.1 Women's History Month – Commissioner Bobbie H. Grace

Commissioner Grace read the Women's History Month proclamation.

Vice-Mayor Jones recognized Jackie Beauzil, Human Resources/Risk Manager, as his Employee of the Quarter.

5. Citizen Comments

Linda Wilson, President, Friends of the Library, thanked the Commission for awarding them a grant this year, and reviewed services provided by the Library.

Laurence Youngmans, 3055 Lakeshore Drive, spoke of the proposed development of the St. Maurice Church property. Residents do not oppose the development, but they are concerned with the parking and traffic. He also commented on the zoning change proposed in Ordinance #2016-007.

Shirley Jones, 130 SW 5th Court, thanked Ronnie Navarro, Deputy Public Services Director, for installing a speed limit sign on SW 5th Court. She noted they still need street lights and a margin in the road, and their sidewalks and medians also need repair. They would like assistance with sod and tree plantings, and have drug areas that need to be addressed.

Betty Sokol, 609 NW 10th Street, welcomed Commissioner Fetscher to the Commission, and thanked the Commission for filling the vacancy.

Carolyn Jones, 722 SW 3rd Street, thanked the Commission for filling the vacancy, and congratulated Commissioner Fetscher.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on criminal activity in the City.

Sean Brown, Battalion Chief, BSO Fire Rescue, reported that the Dania Beach Boulevard Bridge will remain closed until sometime in April. He also reported that the Safer by 4 kickoff began today.

7. Consent Agenda

Items added to Consent Agenda: #7.3

Items removed from Consent Agenda: #7.3

7.1 Minutes:

Approve Minutes of February 23, 2016 City Commission Meeting

Approve Minutes of February 24, 2016 Workshop - Commission Vacancy

7.2 Travel Requests: None

Commissioner Grace motioned to adopt the Consent Agenda, with the addition of Item #7.3, and the exception of Item #7.3; seconded by Vice-Mayor Jones. The motion carried unanimously.

ADDENDUM

7.3 RESOLUTION #2016-022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DANIA BEACH, FLORIDA AND AFSCME FLORIDA COUNCIL 79, AFL-CIO LOCAL 3535 FOR A RETROACTIVE TWO YEAR PERIOD OF OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2016 AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-022.

Jim Cherof, Labor Counsel, noted that the union leadership signed off on the agreement and members overwhelmingly accepted it.

Vice-Mayor Jones motioned to adopt Resolution #2016-022; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes
Commissioner Fetscher	Yes
Commissioner Grace	Yes

Vice-Mayor Jones	Yes
Mayor Salvino	Yes

8. Bids and Requests for Proposals

There were no proposals on this agenda.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2016-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, THE "LAND DEVELOPMENT CODE", OF THE CITY'S CODE OF ORDINANCES BY AMENDING ARTICLE 100, "GENERAL USE REGULATIONS," TO RENAME THE COMMUNITY REDEVELOPMENT AREA MARINE ZONING DISTRICT; AMENDING ARTICLE 105, "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS," CONCERNING TWO-FAMILY DWELLINGS; AMENDING ARTICLE 110, "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS," CONCERNING CERTAIN PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES AND USE REQUIREMENTS; AMENDING ARTICLE 115, "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE," TO AMEND THE SCHEDULE OF PERMITTED USES; AMENDING ARTICLE 265, "OFF-STREET PARKING REQUIREMENTS," CONCERNING OFF-STREET PARKING REQUIREMENTS; AMENDING FIGURE 303-10 TO REVISE THE BOUNDARY OF THE CITY CENTER; RENAMING SUBPART 2 OF PART 3 FROM "HOTEL OVERLAY DISTRICT" TO "OVERLAY DISTRICTS"; CREATING ARTICLE 317, "MARINE OVERLAY DISTRICT" AND PROVIDING FOR A PURPOSE, APPLICABILITY, ON-SITE PARKING REQUIREMENTS, AND SIGNAGE REQUIREMENTS; DELETING THE HEADER SUBPART 3 OF PART 3, "DESIGN DISTRICT OVERLAY"; RENAMING SUBPART 4 OF PART 3 FROM "PORT EVERGLADES DEVELOPMENT DISTRICT (PEDD)" TO "SUBPART 3. - OTHER SPECIAL DISTRICTS"; AMENDING ARTICLE 675, "TEMPORARY USE AND SPECIAL EVENT PERMITS," PROVIDING FOR RECURRING TEMPORARY EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

City Attorney Ansbro read the title of Ordinance #2016-004.

Corinne Lajoie, Principal City Planner, provided an overview of the zoning text amendments.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Grace motioned to adopt Ordinance #2016-004, on first reading; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

City Attorney Ansbro advised most of the remaining items were quasi-judicial hearings and swore-in those who would speak. He asked the Commission to disclose any communication they had on these matters.

9.2 ORDINANCE #2016-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE VACATION REQUEST SUBMITTED BY PULICE LAND SURVEYORS, INC. ON BEHALF OF THE PROPERTY OWNER, FOREST VIEW ESTATES, LLC, TO VACATE A PORTION OF THE PLAT OF "FOREST VIEW ESTATES" (PLAT BOOK 175, PAGE 182 OF THE PUBLIC RECORDS OF BROWARD COUNTY), LOCATED AT SW 35TH AVENUE AND STIRLING ROAD, LYING WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE, WHICH PORTION WAS ORIGINALLY DEDICATED BY THE OWNER FOR PARK PURPOSES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

City Attorney Ansbro read the title of Ordinance #2016-005.

Corinne Lajoie, Principal City Planner, explained the vacation request of public park land.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Vice-Mayor Jones motioned to adopt Ordinance #2016-005, on first reading; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

#9.3 ORDINANCE #2016-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE TEXT AMENDMENT (TX-136-15) REQUEST MADE BY MATTHEW SCOTT, TRIPP SCOTT, P.A., REPRESENTING PARK 'N GO OF FORT LAUDERDALE, LLC; PROVIDING FOR AN AMENDMENT OF ARTICLE 115, ENTITLED "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES AND CONDITIONS OF USE" OF CHAPTER 28, "LAND DEVELOPMENT CODE" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

City Attorney Ansbro read the title of Ordinance #2016-006.

Corinne Lajoie, Principal City Planner, explained the text amendment requested by Park 'N Go.

Matthew Scott, representing the applicant, responded that they are comfortable with the language, and gave a brief background of the request.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Grace motioned to adopt Ordinance #2016-006, on first reading; seconded by Commissioner Fetscher. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes
Commissioner Fetscher	Yes
Commissioner Grace	Yes

Vice-Mayor Jones	Yes
Mayor Salvino	Yes

#9.4 ORDINANCE #2016-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, OF THE "LAND DEVELOPMENT CODE", OF THE CITY'S CODE OF ORDINANCES BY AMENDING ARTICLE 105, "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS," CONCERNING COMMUNITY RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES; AMENDING ARTICLE 110, "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS," CONCERNING CERTAIN PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES AND USE REQUIREMENTS; AMENDING ARTICLE 115, "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE," TO AMEND THE SCHEDULE OF PERMITTED USES; AMENDING ARTICLE 225, "INTERSECTION VISIBILITY STANDARDS," CONCERNING OBSTRUCTIONS; AMENDING ARTICLE 265, "OFF-STREET PARKING REQUIREMENTS," CONCERNING SINGLE FAMILY AND DUPLEX DRIVEWAY REQUIREMENTS; AMENDING ARTICLE 302, "DETAILED USE REGULATIONS," CONCERNING PERMITTED AND PROHIBITED USES IN CERTAIN SPECIAL DISTRICTS; AMENDING ARTICLE 303, "DISTRICT DEVELOPMENT STANDARDS," CONCERNING DEVELOPMENT STANDARDS IN THE CITY CENTER DISTRICT AND AMEND THE HEIGHTS ZONES MAP; AMENDING ARTICLE 305, "INCENTIVES," TO RELOCATE INCENTIVES FOR PUBLIC PARKS; AMENDING ARTICLE 511, "INDUSTRIAL DESIGN STANDARDS," CONCERNING THE APPEARANCE OF CERTAIN GLASS WINDOWS AND DOORS; AMENDING ARTICLE 605, "GENERAL APPLICATION REQUIREMENTS"; AMENDING ARTICLE 640 "PLATS," TO REVISE THE PLAT APPROVAL PROCESS; AMENDING ARTICLE 720 "PLANNING AND ZONING BOARD," TO REVISE THE BOARD'S DUTIES; AMENDING ARTICLE 805, "CONCURRENCY DETERMINATIONS," CONCERNING RECREATION AND OPEN SPACE CONCURRENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

City Attorney Ansbro read the title of Ordinance #2016-007.

Corinne Lajoie, Principal City Planner, reviewed the various text amendments. She advised that pawn shops had been removed from the original ordinance that was not approved by the City Commission.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Grace motioned to adopt Ordinance #2016-007, on first reading; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes
Commissioner Fetscher	Yes
Commissioner Grace	Yes

Vice-Mayor Jones	Yes
Mayor Salvino	Yes

9.5 RESOLUTION #2016-020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, GRANTING A TWELVE (12) MONTH EXTENSION OF SITE PLAN APPROVAL FOR THE SITE PLAN (SP-011-14) SUBMITTED BY SUSAN F. DELEGAL, ESQ., ON BEHALF OF THE PROPERTY OWNER OFER BEN

SHOSHAN FOR PROPERTY LOCATED AT 4430 SW 32ND AVENUE IN THE CITY OF DANIA BEACH, FLORIDA; FINDING THAT THE APPLICANT HAS DEMONSTRATED GOOD CAUSE FOR THE DELAY IN SUBMITTAL OF COMPLETE BUILDING PERMIT APPLICATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-020.

Corinne Lajoie, Principal City Planner, provided an overview of the request.

Susan Delegal, representing the applicant, responded the owner has been working on obtaining financing, but has been having difficulty.

Vice-Mayor Jones spoke of the prevalence of developers in the past trying to find financing who were really trying to flip the property. He hopes this is not the case here, and the project will be moved forward within the year.

Ms. Delegal noted her understanding is that the same development team is the one that is looking to accomplish the project.

Vice-Mayor Jones felt there ought to be some restrictions put on the developer should they try to sell the property.

City Attorney Ansbro advised that this extension is authorized under state law if good cause is shown, which has been, in his legal opinion; the developer is entitled to do this and such a restriction cannot be made.

Mayor Salvino commented about developers getting Commission approvals and then selling the properties. He does not agree with this, and recommends a policy be put in place where developers will lose a deposit if shovels do not go into the ground when approvals are granted.

Ms. Delegal spoke of the great deal of work that comes after site plan approval. The developer has been working on this and she has been assisting.

Mayor Salvino refuted the claim that financing is in a state of flux, and said if the developer wanted to build, they could find financing.

Ms. Delegal noted the developer has not flipped the property since site plan approval, which was 1 ½ years ago, and does not intend to do so.

City Attorney Ansbro added the developer had spent a lot of time to accommodate neighbors' concerns; none of them are present tonight voicing opposition. In response to Commissioner Brandimarte, he further clarified extensions on time and explained the code could be amended to shorten the timeframe in which a developer has to build.

Ms. Delegal noted the Code only provides for the 1-year extension, so if development does not happen in that time, they will need to come back with a new site plan.

Mayor Salvino questioned what one more year will do if the project could not be done in 18 months.

Discussion ensued about amending the Code for future applications in order to prevent projects from being approved, subsequently not developed, and the property sitting idle.

Commissioner Fetscher addressed the issue of the Dania Hotel and their numerous requests for time extensions.

Commissioner Grace spoke of the monthly project report provided to the Commission, and felt what is being asked for is not unreasonable in order to ensure we get a quality project.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Vice-Mayor Jones motioned to adopt Resolution #2016-020; seconded by Commissioner Grace. The motion carried on the following 4-1 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	No	Mayor Salvino	Yes
Commissioner Grace	Yes		

#9.6 RESOLUTION #2016-021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-107-15), APPROVING A SPECIAL EXCEPTION (SE-17-16), AND APPROVING VARIANCES (VA-12-16), (VA-13-16), (VA-14-16), (VA-15-16) AND (VA-16-16) SUBMITTED BY BILL LAYSTROM, ESQUIRE, WITH DOUMAR, ALLSWORTH, LAYSTROM, VOIGT & ADAIR, ON BEHALF OF THE PROPERTY OWNER COHEN DANIA BEACH HOTEL, LLC D/B/A THE DESIGN CENTER OF THE AMERICAS, FOR PROPERTY LOCATED AT 1825 GRIFFIN ROAD IN THE CITY OF DANIA BEACH, FLORIDA AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-021.

Corinne Lajoie, Principal City Planner, noted that staff is no longer requesting a continuance of this resolution, and provided an overview of the requests.

Mayor Salvino opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Grace motioned to adopt Resolution #2016-021; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

10. Discussion and Possible Action

There were no discussion items on this agenda.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte had no comments.

11.2 Commissioner Fetscher

Commissioner Fetscher introduced himself to the audience.

Commissioner Grace removed herself from the General Employees' Pension Board because Commissioner Fetscher is also a member of the board.

11.3 Commissioner Grace

Commissioner Grace commented the Charter Review Board did a wonderful job, and spoke of community events.

11.4 Vice-Mayor Jones

Vice-Mayor Jones had no comments.

11.5 Mayor Salvino

Mayor Salvino welcomed Commissioner Fetscher to the Commission.

Mayor Salvino spoke about the Arts & Seafood Celebration, and food trucks, free concerts, and the presence of BSO Fire Rescue at the Casino.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Baldwin welcomed Commissioner Fetscher.

City Manager Baldwin said he met with the Fire Department and a recommendation will be coming to fund, from the General Fund for the balance of the fiscal year, what is currently being paid for by the SAFER Grant. BSO provided a figure of \$425,000.00; one station would be approximately \$250,000.00. The Commission will have to make this decision, as well as decide what to do for the following fiscal year.

City Manager Baldwin thanked the Commission for approving the AFSCME agreement, and thanked Vice-Mayor Jones for recognizing Human Resources/Risk Manager Beauzil.

City Manager Baldwin advised that the Economic Summit will be held on April 1st, 10:00 a.m. - 2:00 p.m., and we buy a table every year for \$1,000.00. Commissioners Grace and Fetscher noted they cannot attend. Vice-Mayor Jones said he cannot commit right now. City Manager Baldwin will purchase a table and fill it with staff, as needed.

13.2 City Attorney

City Attorney Ansbro welcomed Commissioner Fetscher.

13.3 City Clerk - Reminders

Tuesday, March 22, 2016 - 7:00 p.m.

Tuesday, April 12, 2016 - 6:00 p.m.

Tuesday, April 12, 2016 - 7:00 p.m.

City Commission Meeting

CRA Board Meeting

City Commission Meeting

14. Adjournment

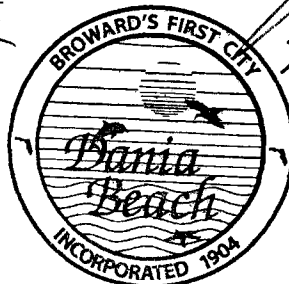
Mayor Salvino adjourned the meeting at 9:06 p.m.

ATTEST:

CITY OF DANIA BEACH

for *Don Schneider, Deputy City Clerk*
LOUISE STILSON, CMC
CITY CLERK

[Signature]
MARCO A. SALVINO, SR.
MAYOR



Approved: March 22, 2016



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: 3/8, 2016
PRINT NAME: Linda Wilson, President
ADDRESS: DB Library - "Friends of the Library"
PHONE NO. (optional): 954-929-8712

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☒ **CITIZEN COMMENTS:**

Comments by Dania Beach citizens or interested parties that are not part of the regular printed agenda may be made during each Commission meeting during the period set aside for "Citizen Comments." A thirty (30) minute "Citizen Comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk immediately prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine on a meeting by meeting basis whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Charitable Grant + Library Programs
Sponsored by the "Friends"

2) ☐ **PUBLIC HEARINGS – ITEM # _____ (AS PRINTED ON AGENDA)**

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019).

7:45



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DATE OF COMMISSION MEETING: 3/8, 2016

PRINT NAME: LAURENCE E. YOUNGHANS

ADDRESS: 3055 LAKESHORE DRIVE, DANIA BEACH

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☒ CITIZEN COMMENTS:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

OLD ST. MAURICE PROPERTY USAGE

2) ☐ PUBLIC HEARINGS – ITEM # (AS PRINTED ON AGENDA)

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019).

7:50



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DATE OF COMMISSION MEETING: 3-8-, 2016

PRINT NAME: Shirley Jones

ADDRESS: 130 SW 5th Court

PHONE NO. (optional): 754-368-3171

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☐ CITIZEN COMMENTS:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Speed bumps, Res-dance keeping the property
clean, Street lights, Night drug issue, in apt's
needs to be observed. please!

2) ☐ PUBLIC HEARINGS – ITEM # (AS PRINTED ON AGENDA)

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019).

7:52



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: 3/8, 2016

PRINT NAME: BETTY SOKOL

ADDRESS: 609 NW 10TH ST DANIA

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

VACANT SEAT

2) ☐ **PUBLIC HEARINGS – ITEM # _____ (AS PRINTED ON AGENDA)**

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7453



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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DATE OF COMMISSION MEETING: _____, 20__

PRINT NAME: _____

ADDRESS: _____

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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9.6

**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: March 8, 2016

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

FROM: Corinne Lajoie, AICP, LEED G. A., Planning and Zoning Manager 

SUBJECT: **SE-17-16/VA-12-16/VA-13-16/VA-14-16/VA-15-16/VA-16-16/SP-107-15:** The applicant, Bill Laystrom, Esq. with Doumar, Allsworth, Laystrom, Voigt & Adair, on behalf of the property owner Cohen Dania Beach Hotels, LLC D/B/A The Design Center of the Americas is requesting a Special Exception, Variances and Site Plan approval for the property located at 1825 Griffin Road.

SPECIAL EXCEPTION

To allow a hotel use; per Section 110-20.

VARIANCES

1. To allow a seven (7) foot wide intermediate landscape peninsula where code requires a ten (10) to fifteen (15) foot minimum width depending on separation per Section 275-100(C).
2. To allow a terminal landscape island of approximately four (4) feet in width where code requires a ten (10) foot minimum width per Section 275-100(D).
3. To allow the continued existence of the landscaped area abutting the buildings where code requires a minimum of ten (10) feet; per Section 275-100(E).
4. To allow two (2) wall signs and one (1) facing an internal (north) property line where code permits only one wall sign facing street frontage; per Section 505-120(O).
5. To allow twenty-seven percent (27%) glass coverage on the ground floor façade where code requires a thirty-five percent (35%) minimum; per Section 510-30(H).

SITE PLAN

To allow the remodel of, and addition to, an existing hotel.

PROPERTY INFORMATION

EXISTING ZONING: General Commercial District (C-4)
LAND USE DESIGNATION: Commercial

The subject property is the currently location of the Sheraton Hotel, located at the south east corner of Griffin Road and Interstate 95. The property is approximately nine and a half (9.5) acres in size.

SPECIAL EXCEPTION

Today the City's Land Development Code (LDC) allows hotels as a Special Exception use in the C-4 zoning district. Although a hotel is currently operating on the property, no record can be found granting a Special Exception for the hotel use. Therefore the use is considered legally-non-conforming. Expansion of the use requires Special Exception approval to meet today's code.

Section 630-50 of the Land Development Code states, the City Commission or Planning and Zoning Board, if applicable, shall review the application to determine whether the Special Exception use complies with the following criteria standards:

- (1) "That the use is permitted as a special exception use as set forth in the use regulations of part 1 of this code."
- (2) "That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located."
- (3) "That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning."
- (4) "That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities."
- (5) "That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets."
- (6) "That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety and welfare of the community."
- (7) "That the use will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community."
- (8) "That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance."
- (9) "That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the comprehensive plan."

(10) "That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction or character."

(11) "That the use will not overburden existing public services and facilities."

The applicant provided a justification statement identifying how their request is consistent with the Special Exception criteria.

VARIANCES

1. INTERMEDIATE LANDSCAPE PENINSULA

The applicant is requesting to remodel an existing hotel property. The landscaping and parking exists today. The applicant states in their justification statement that modifying the site to meet today's code is impossible. The applicant is proposing to remove several two (2) to three (3) foot wide intermediate islands to provide fewer, but larger islands that will enable plant material to grow and thrive. However, the smallest intermediate landscape peninsula will be seven (7) feet wide where code requires ten (10) to fifteen (15) feet in width depending on separation.

2. TERMINAL LANDSCAPE ISLAND

The subject property was built prior to the adoption of the current regulations. Redesigning the site to meet today's code requirements is difficult without eliminating required parking spaces. The applicant has made adjustments where possible to accommodate additional parking, however the smallest terminal landscape island is shown to be four (4) feet in width; code requires ten (10) feet.

3. LANDSCAPE AREA ABUTTING BUILDING.

The subject property was built prior to the adoption of the current regulations which makes meeting today's code very difficult. The applicant is unable to meet the minimum requirement for landscaped areas abutting the building without eliminating required parking spaces.

4. WALL SIGNS

The applicant has indicated that the building is visible from vehicles traveling both north and south on Interstate 95, thereby necessitating a sign on each side of the building. In addition, the applicant indicates that there is currently a wall sign on the north and south building elevations, although a previous variance has not been found. Each proposed sign will meet code requirements for sign area.

5. FRONT FAÇADE

The property is an existing hotel which was previously approved with the existing amount of glass coverage. Since that time the code has changed making the structure non-conforming. This variance will make the existing conditions legal.

Section 625 of the City's LDC states, the City Commission or Planning and Zoning Board, if applicable, shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions

the application for variance, based upon its determination that the request meets the criteria identified in Section 625-40, which are identified below.

- (1) "That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city."
- (2) "That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community."
- (3) "That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the city."
- (4) "That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome."
- (5) "That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community."

The applicant provided a justification statement identifying how their request is consistent with the Variance criteria.

SITE PLAN

The proposed site plan application is for the remodel and addition to the existing hotel structure. The existing structure is 189,541 square feet in size. The applicant is proposing an addition of approximately 8,643 square feet. As a result, twenty-nine (29) additional parking spaces are required and provided by the applicant, in part, via the removal of the tennis court.

Development Review Committee (DRC)

The site plan was reviewed by the DRC which includes personnel from the BSO Fire, Public Services, the City's landscape consultant and Community Development Department Planning Division. The applicant has several outstanding staff comments that must be addressed prior to issuance of a building permit. The outstanding DRC comments are listed as conditions of approval in the resolution.

1. Provide traffic statement of additional trip generations using the latest ITE generation rates. Noted - no increase in peak-hour traffic per Fadi Emil Nassar (Engineering).
2. Provide geometric dimensions for all proposed driveways, parking stalls, turning radius, etc. Not Addressed. (Engineering)
3. Provide drainage calculations. Not Addressed. (Engineering)
4. Show sight triangle at existing ingress/egress- this must be reflected on the landscaping plan using FDOT Index 546 for guidance. Not Addressed. (Engineering)

5. Per Dania Code of Ordinances (Article 415 – Sidewalks and Swales), Owner is responsible for sidewalks and swale improvements within the road right of way. (Engineering)
6. In compliance with Article 805 of the City Code of Ordinances, applicant shall provide a projection of water demand, and sewage and solid waste generation in tabular format. (Engineering)
7. Provide drawing file (dwg or dgn) disk of the approved site plan in Florida State Plane Coordinate (NAD 83). This should be addressed as part of the final submittal. (Engineering)
8. Must provide additional Fire Lane- No Parking signs and yellow painted curbs in the following Highlighted areas and apologize for missing this on the prior review: (BSO Fire)
9. Please provide a copy of the approved set of plans in .pdf format via email to kennethsean_brown@sheriff.org . If the plan set is too large to send through email, please deliver the plans in .pdf format on a CD-ROM to Attn. Chief Brown, Fire Marshal's Office, 103 West Dania Beach Boulevard, Dania Beach, FL 33004 (BSO Fire)
10. PLATTING: Provide letter from Broward County identifying whether this property needs to be platted or replatted. Per LDC, Section 605-30(F) must provide "the recorded plat and any agreements modifying plat (example: amendment to the restrictive note or NVAL), if the property has been platted. 2nd time requested (Planning)
11. RIGHT-OF-WAYS: Identify if r-o-w dedication is required. Per LDC, Section 635-50(I) Identify "locations and dimensions of all existing and proposed right-of-way and dedications, including ultimate right-of-way lines (if any)". See Engineer's comments for additional discussion (Planning).
12. WATER: Identify projected water demand for the project. See Engineer's comment for additional discussion (Planning).
13. IMPACT FEES: Impact fees that will be required for the project were provided on 10-19-15 (Planning).
14. SIGNS:
 - Per LDC, Section 635-50(S) must provide "location, character, size, height and orientation of proposed signs, including building signage details shown on plan elevations and method of illumination". Provide detail of ALL signs. 2nd time requested.
 - Color rendering of south elevation shows signage. No signage permitted on south elevation. 2nd time requested.
 - Per Section 505-120(O) one wall sign permitted per building frontage, which is the north elevation. Must address this code provision through redesign, or submittal of an application for a variance or design variance request. A variance request requires submittal of an application, an application fee of \$2,300 for each requested variance, and a written justification statement addressing the variance criteria identified in Sec. 625-40 of the City's LDR's. Must be addressed with next submittal.

- Identify the length of building frontage on sheet with signs to allow staff to calculation allowable square footage as per Section 505-120(O).
 - Per Section 505-120(B) address sign is required. Provide detail (Planning).
15. **PARKING:**
- Based on information provided on Sheet SP1, and parking requirement found in Section 265-50(3) the following parking is required:
 - 1 space per hotel room = 1 X 250 = 250 parking spaces
 - 10 spaces per 1,000 s.f. of floor area devoted to ballrooms, meeting rooms, restaurants, lounges, shops and other accessory uses = 3,853 s.f./1,000 = 3.8 or 4 Parking spaces.
 - Parking matrix provided on Sheet A1.00 shows existing regular spaces as 434 under "Existing Parking Count" table then identifies regular spaces as 438 under "Proposed Parking Count" table. Clarify.
 - Identify number of spaces required.
 - Storage of vehicles (long-term/short-term) is not a permitted use. Delete reference (Planning).
16. **VALET PARKING –**
- Per LDC, Section 265-120(B) "an agreement between the city and property owner(s) and approved by the city attorney, shall identify the number and location of parking spaces reserved for valet parking, and shall require that any use of property for which valet parking is provided in order to satisfy the required number of parking spaces shall cease immediately if for any reason the valet service is not provided at all times during the operation of the uses for which the parking is provided". Provide copy for City Attorney's review. 2nd time requested.
 - Per LDC, Section 265-120(B) "the site plan shall delineate, valet podium, signage, and attendant-parking spaces, and provide an adequate number of stacking spaced for the drop-off area without blocking crosswalks." Show spaces, and provide an adequate number of stacking spaces for the drop-off area without blocking cross walks". Show details on site plan. 2nd time requested (Planning).
17. The proximity to the airport will require FAA review. Provide letter from FAA. (Planning).
18. Provide minimum bicycle parking requirements as identified in Section 265-51.
- Required bicycle parking will need to be adjusted as required parking is revised.
 - Provide calculation and identify how many spaces are provided on sheet A2.00 with parking calculations.
 - 10% of required automobile spaces is required for bike parking; the number of required parking spaces are not identified on Sheet A1.00 therefore the number of bike parking cannot be determined. Provide missing information.
 - 48 bike parking spaces identified in parking calculation table, drawing on Sheet SP1 shows 40. Revise (Planning).
19. Must provide latest revised set of plans on disk prior to going to public hearing (Planning).
20. Principal Arterial Design Standards/Industrial Design Standards: Per Section 510-30(H) Glass windows and doors must make up at least 35% of primary elevation, and

shall be between heights of 2.5' and 8' above grade. Provide detail showing this requirement has been met (Planning).

21. DRI: Identify how this project is compatible with the existing DRI. 2nd time requested (Planning).

STAFF RECOMMENDATION

SPECIAL EXCEPTION/VARIANCES/SITE PLAN

Approve the resolution with the outstanding DRC comments as conditions of approval which must be addressed prior to issuance of a building permit.